

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOFEY DERNOVOY,

Plaintiff,

v.

JOHN HARPER and LANA KUDINA, and
their marital community composed thereof; and
US HOUSING SOLUTIONS CORP., a
business entity doing business in the State of
Washington; US Housing Solution Corp. Bond
No. 545274C,

Defendants.

Case No. C08-5076FDB

ORDER TO RESPOND TO
QUESTIONS REGARDING
FEDERAL REMOVAL
JURISDICTION

This cause of action was removed from Clark County Superior Court on February 8, 2008. Although the summons is dated December 24, 2007, Defendant John Harper indicates that he and US Housing Solutions Corp. were served on January 22, 2008, but without showing any document to support this. Moreover, there is no indication that all parties agree to remove this matter.

John Harper, purporting to represent Defendants pro se asserts that removal is proper based on diversity and there being sufficient amount in controversy (Plaintiff claims restitution in the amount of \$243,990.00). Harper asserts that he is an Oregon resident (contrary to Plaintiff's complaint); presumably Lana Kudina is as well, being part of the marital community, but this is not directly stated. More problematic, Harper has not indicated what the citizenship of US Housing Solutions Corp. is by informing this court where U.S. Housing Solutions was incorporated and

1 where it has its principal place of business. Moreover, this Court requires that corporations be
2 represented by legal counsel who are admitted to practice before this Court.

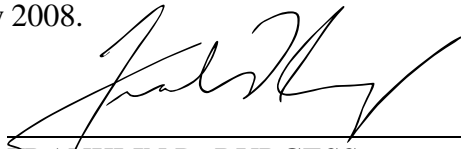
3 Finally, it appears that findings of fact and conclusions of law and final order were issued by
4 Administrative Law Judge Janet L. Schneider of the State of Washington, Office of Administrative
5 Hearings for the Department of Labor and Industries. It is not clear from Plaintiff's Complaint or
6 Defendants' Answer whether matters resolved by the Administrative Law Judge's Order are the
7 subject of any matters before this court.

8 Before any further action is taken in this case, Defendants must respond to the above
9 concerns. NOW, THEREFORE,

10 IT IS ORDERED: Defendant John Harper, the party purporting to remove this matter shall
11 respond to the following inquiries by no later than May 30, 2008:

- 12 1. Show evidence of date of service of process of Plaintiff's Summons and Complaint;
- 13 2. Make a showing as to whether or not all party defendants consent to removal;
- 14 3. Demonstrate the "citizenship" (domiciliary of what state) of Defendant Lana Kudina;
- 15 4. Demonstrate as to Defendant US Housing Solutions Corp. its state of incorporation and
16 its principal place of business; legal counsel admitted to practice in the Western District of
17 Washington should provide responses on behalf of US Housing Solutions Corp.
- 18 5. State whether the subject matter of the Final Order of Administrative Law Judge
19 Schneider is an issue in the case before this Court.
- 20 6. Arrange on behalf of Defendant US Housing Solutions Corp. for the appearance of an
21 attorney admitted to practice before this Court by no later than May 30, 2008.

22 DATED this 19th day of May 2008.

23 
24 FRANKLIN D. BURGESS
25 UNITED STATES DISTRICT JUDGE